

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BLUECROSS BLUESHIELD OF)
TENNESSEE, INC.,)
) NO. 3:19-cv-01116
Plaintiff,)
) JUDGE RICHARDSON
v.)
)
LAURIE S. LEE, in her official capacity as)
Executive Director of the Department of)
Finance and Administration (Benefits)
Administration) for the State of Tennessee,)
et al.)
)
Defendants.)

ORDER

The parties have filed a “Stipulation of Dismissal.” (Doc. No. 60). Under Fed. R. Civ. P. 41(a)(1)(A)(ii), the Stipulation sufficed to dismiss this action without any action on the part of the Court. A dismissal under Fed. R. Civ. P. 41(a)(1) is a dismissal without prejudice unless otherwise stated. *See* Fed. R. Civ. P. 41(a)(1)(B). The parties’ “Stipulation of Dismissal” does not specify whether the dismissal is with or without prejudice.

Accordingly, this action is **DISMISSED without prejudice**. However, the Court retains jurisdiction over the enforcement of the parties’ Agreed Permanent Injunction, which remains in effect notwithstanding the fact that the procedural device of a “dismissal” under Rule 41(a)(1) is being used as the basis to administratively close this case.

This Order shall constitute final judgment for purposes of Fed. R. Civ. P. 58.

IT IS SO ORDERED.

Eli Richardson
ELI RICHARDSON
UNITED STATES DISTRICT JUDGE